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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/787,505	02/26/2004	Iulian Musat	3DG-111	4996

23574 7590 07/27/2005

LAW OFFICE OF ANDREI D POPOVICI
786 LA MESA DRIVE
PORTOLA VALLEY, CA 94028

EXAMINER

MCELHENY JR, DONALD E

ART UNIT PAPER NUMBER

2857

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/787,505

Applicant(s)

MUSAT ET AL.

Examiner

Donald E. McElheny, Jr.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-43 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02/26/04 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>08/07/04</u> . | 6) <input type="checkbox"/> Other: ____ |

1. This is a supplemental Office action to the Office action dated 07/18/05 in response to a telephone inquiry by Andrei Popovici on 07/19/05 regarding the title and author of the reference in the art rejection in that Office action. The period for response is restarted with the mailing of this Office action. The publications cited were supplied in the above noted last Office action.

The reference to the author Bevc et al. should have been referenced as titled "Internet Seismic Processing: A Paradigm Shift for Exploration". The incorrectly listed title of "Collaboration: Beyond the Browser" belongs to the applied reference authored by Ridyard.

A repeat of that Office action with the corrected titles of the applied references follows.

2. The information disclosure statements (IDS) submitted on 08/07/04, 08/12/04, 09/13/04 have been considered by the examiner. See attached initialed copies.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1-4, 6-7, 9-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over either of (Harvey et al. (6,519,568 B1) or Anderson et al.) in view of the article by Bevc et al. titled "Internet Seismic Processing: A Paradigm Shift for Exploration".

Both Harvey et al. and Anderson et al. are just two references (others cited of record also deemed of equal relevance except possibly not teaching the context of operating upon the same type of collaborative work data) that are considered the teach the gist of the inventive concept of instantaneous, real-time or near real-time collaborative simultaneous cooperative work over a network upon the same geophysical data or similar datas and the ability and motivation to use such teachings with other data types. While these references may not use the same exact terminology as found in the instant claims, for example such as "geophysical analysis events", "parameterized description", or "instances of the group states", such are deemed met by full equivalents where the data of geophysical nature is certainly being evaluated for the purpose of analysis of events relating to real world geophysical modeling and/or preparation for display of feature items of interest. And the data forwarded between workstations is of descriptive and parameterized nature for distribution and analysis by the workstations. And the "states" of the data at each client or user's workstation is kept track of for purposes of coordinating data display upon each client's/user's workstation between a main data server and/or between client/user workstations.

While the above references may not explicitly make use of the same descriptive language, the state of the prior art shows that use of such differences were in the public domain for their context of use as evidenced by the article by Bevc et al. Which since all references are directed to collaborative workstations efforts upon geophysical arts type datas it would have been obvious to one of ordinary skill in the art to consider the alternative language and manners of "parameterized" data interchange. The references teach compression of data to speed relay of information. Dependent claims 2, 3, 6, 7, 10, 16, 17, 18, 22, 26, 27, 32, 33, 34, 39 find explicit use of the same language and its purposes in the teaching of the Bevc et al. article.

Claims calling for a "within 10 ms of a transmission" criteria for operation upon data are deemed met by the teachings of instantaneous or real-time or near-time operations between workstations and update of data for client/user review. And nevertheless it would have been considered obvious to one of ordinary skill in such collaborative networking between workstations to expedite the transmission as fast as possible and as typically expected by use of wide band networks.

6. Claims 5, 8, are rejected under 35 U.S.C. 103(a) as being unpatentable over either of (Harvey et al. (6,519,568 B1) or Anderson et al.) in view of the article by Bevc et al. titled "Internet Seismic Processing: A Paradigm Shift for Exploration", as applied above, and further in view of the Ridyard article titled "Collaboration: Beyond the Browser".

Claims calling for the use of a plurality of screen cursors, one under control by each client/user at their respective workstations but displayed together on their

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respective display a common screen for collaborative interactive work efforts was well known in the prior art before filing of the instant application as evidenced by the teachings and showings by Ridyard, which is also clearly motivated to the same collaborative workstation and geophysical types of data found in the oil exploration industry. Thus it is self evident that it would have been obvious to incorporate for the same motivations the teachings by Ridyard to enable plural clients/users to make use of such plural cursors tools features.

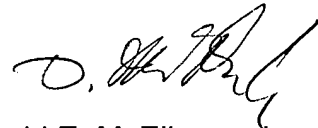
7. The remaining prior art cited is exemplary of the state of the art in collaborative workstations or handheld computers networked systems, all of which would have been obvious to include other types of work files and model datas as alternatives, including those of the geophysics arts. Additional portions of these collaborative workstations references also teach the use of plural users' cursors for similar motivational use purposes as instant applicants do; see Rich (5,796,396), Bates et al. (5,515,491), and Kameda (5,828,372).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donald E. McElheny, Jr. whose telephone number is 571-272-2218. The examiner can normally be reached on Monday-Thursday from 7:30 to 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoff Marc, can be reached on weekdays at telephone number 571-272-2218. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Donald E. McElheny, Jr.
Primary Examiner
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